

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Stamm et al

Application No. 10/665,522

Filed: September 22, 2004

For: Fenofibrate Composition Having Enhanced Bioavailability

Docket No: 107664.115US13

Commissioner of Patents PO Box 1450 Alexandria, VA 22303-1450

Information Disclosure Statement

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 Form.

A copy of the cited US patents is not being provided. The Applicants are providing a copy of the following documents:

- 1. Declaration under 37 CFR § 1.132 by Pascale Blouquin, with attachments, including, for example:
 - Laboratories Fournier Lab Notebook No. 1 (18 February 1997 to
 15 May 1997) in French and a certified English language
 translation thereof; and
 - b.. Laboratories Fournier Lab Notebook No. 2 (16 May 1997 to 30 July 1997) in French and a certified English language translation thereof.

The undersigned notes that in the Declaration under 37 CFR § 1.132 by Pascale Blouquin at page 5, ¶ 16, the undersigned editorially changed "(attached as Exhibit 3)" to "(attached as Exhibit 5)" for accurate consistency in the numbering of the attachments in the Declaration.

The submission of this Information Disclosure Statement does not represent that a search has been made and does not constitute an admission that the listed documents and/or litigations are material to patentability or that the listed documents are prior art.

This Information Disclosure Statement is being filed before the mailing date of a first office action on the merits and before a notice of allowance. Accordingly, no fee is due. The

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Commissioner is authorized to charge any necessary fees or credit any overpayments to Deposit Account No. 08-0219.

Applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449 Form with the next communication from the Patent Office.

Respectfully submitted,

Edward D. Grieff Registration No. 38,89

Date: March 31, 2005

WILMER CUTLER PICKERING

HALE AND DORR LLP

1455 Pennsylvania Avenue, NW

Washington, DC 20004 Phone: (202) 942-8453

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Col	mplete if Known
Application Number	10/665,522
Filing Date	September 22, 2003
First Named Inventor	Stamm
Art Unit	
Examiner Name	
Attorney Docket Number	107664.115 US13

Examiner Cite Initials* No.	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	110.	Number-Kind Code ^{2 (if known)}	IVIIVI-DD-1777	Applicant of Cited Document	Figures Appear
		^{US-} 4,524,060	06-1985	Mughal et al	
		^{US-} 4,800,079	01-1989	Boyer	
		^{US-} 6,042,847	03-2000	Kerc et al	
		^{US-} 5,073,379	12-1991	Klimesch et al	
		^{US-} 4,684,516	08-1987	Bhutani	
		^{US-} 2,953,497	09-1960	Press	
		US-			

	FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages					
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T°				
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	3.7		 	 			- 7		5.63			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Substitute of form 1449/PTO				Application Number	10/665,522	
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STATEMENT BY APPLICANT				First Named Inventor	Stamm	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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(Use as many sheets as necessary)				Examiner Name	A STATE OF THE STA	
Sheet	2	of	2	Attorney Docket Number	107664.115 US13	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Declaration under 37 CFR Section 1.132 by Pascale Blouquin (with attachments).	
		Laboratories Fournier's Lab Notebook No. 1 (18 February 1997 to 15 May 1997).	~
		Laboratories Fournier's Lab Notebook No. 2 (16 May 1997 to 30 July 1997).	~

Examiner	Date	
Signature	Considered	

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